

CHILD ABUSE/NEGLECT REVIEW BOARD

The Child Abuse/Neglect Review Board (CANRB) provides an independent administrative review of child abuse/neglect determinations when the alleged perpetrator disagrees with the “Probable Cause/Preponderance of Evidence” finding of the Children’s Division. At the conclusion of each investigation, the Children’s Division investigator notifies the alleged perpetrator in writing of the finding, of the evidence supporting the finding, and of the alleged perpetrator’s right to seek reversal by the CANRB. The notification includes that the alleged perpetrator must make the request for this administrative review within sixty days (or if criminal charges on the child abuse/neglect allegations are pending, the request for administrative review must be made within sixty days of the court’s final disposition or dismissal of charges).

The CANRB is a panel of nine private citizens from professions specified in Section 210.153 RSMo. Each member is appointed by the Governor and approved by the Senate. The Children’s Division may establish more than one CANRB panel. Currently, there are three boards, each of which meets monthly in Jefferson City and reviews approximately eight cases per month. During the CANRB review, the board hears testimony from the Children’s Division, the child’s representative (if he/she chooses to participate), and the alleged perpetrator. The alleged perpetrator may be represented by an attorney, but witnesses are not subpoenaed and there is no cross examination. If the CANRB upholds the Division’s decision, Section 210.152 RSMo Section 210.152 allows the alleged perpetrator to seek judicial review in the circuit court of residence within sixty days of notification of the CANRB decision. At the judicial appeal, the alleged perpetrator may subpoena witnesses with the exception of the alleged victim and the reporter. The court may sustain or reverse the CANRB decision.

During FY04, the CANRB heard 277 cases, and 175 (63%) of those cases were upheld. The three boards currently hold a review approximately 3-4 months after the request is received.